

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nikolai Mykola Ignatyev et al.

Examiner: Sun Jae Y. Loewe

Serial No.: 10/594,966

Group Art Unit: 1626

Filed: September 29, 2006

Title: IONIC LIQUIDS HAVING FLUOROALKYLTRIFLUOROBORATE ANIONS

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Requirement for Election dated December 13, 2007, Applicants hereby elect Group I. Moreover, as a further election of a single compound, Applicants elect N-Methyl-N-butylpyrrolidinium pentaffluoroethyltrifluoroborate, disclosed, e.g., at example 3 of the application. The Requirement for Restriction is respectfully traversed.

MPEP §1850, discussing in detail unity of invention (which applies equally during the national stage, see MPEP §1893.03(d)), states that, for Markush claims, unity of invention is fulfilled where the alternatives in the Markush claim have a common property or activity, and a significant structural element shared by the alternatives or, where common structure is not a unifying criteria, all alternatives belong to a recognized class of chemical compounds. In the present situation, the claims are all usable as ionic liquids, and all contain trifluoromethyltrifluoroborate anions and nitrogen containing cations differing only by relative unsubstitutions. Indeed, it is submitted this constitutes a significant structural feature which mandates withdrawing the restriction and a finding of unity of invention. The same is respectfully requested.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Harry B. Shubin/

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